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PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|-------------------|
| Application Number | 10/658,241 |
| Filing Date | September 9, 2003 |
| First Named Inventor | Alan P. Kozlowski |
| Art Unit | 1626 |
| Examiner Name | T. Sojols |
| Attorney Docket Number | 105842-53915 |

ENCLOSURES (Check all that apply)

| | | |
|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input checked="" type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------------------------------------|----------|--------|
| Firm Name | Gibbons, Del Deo, Dolan, Griffinger & Vecchione | | |
| Signature | <i>Margaret B. Kelley</i> | | |
| Printed name | Margaret B. Kelley | | |
| Date | August 23, 2005 | Reg. No. | 29,181 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Margaret M. Giliaco

Typed or printed name

Margaret M. Giliaco

Date

August 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. GMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**
For FY 2005 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

| Complete If Known | |
|----------------------|--------------------|
| Application Number | 10/658,241 |
| Filing Date | September 8, 2003 |
| First Named Inventor | Alan P. Kozikowski |
| Examiner Name | T. Solola |
| Art Unit | 1628 |
| Attorney Docket No. | 105942-53915 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 03-3839 Deposit Account Name: Gibbons, Del Dao (et al.)

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEES CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fee Paid (\$) |
|------------------|--------------|----------|--------------|----------|------------------|----------|---------------|
| | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues) Fee (\$)
Each independent claim over 3 (including Reissues) Fee (\$)
Multiple dependent claims Fee (\$)

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|--------------|----------------|----------|---------------|---------------------------|----------|---------------|
| 30 | - 20 or HP = 0 | x 0 | = 0 | | 50 | 25 |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | Fee (\$) | Fee Paid (\$) |
|---------------|---------------|----------|---------------|---------------------------|----------|---------------|
| 9 | - 3 or HP = 0 | x 0 | = 0 | | 200 | 100 |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|---------------|--------------------------------------------------|----------|---------------|
| _____ | - 100 = _____ | / 50 = _____ (round up to a whole number) | x _____ | = _____ |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

| | | | |
|-------------------|---------------------------|---------------------------------------------|------------------------|
| Signature | <i>Margaret B. Kelley</i> | Registration No. (Attorney/Agent) 29,181 | Telephone 212-554-9629 |
| Name (Print/Type) | Margaret B. Kelley | | Date August 23, 2005 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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CERTIFICATE OF MAILING/FAX TRANSMISSION

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 envelope addressed to: Commissioner for Patents,
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 transmitted via facsimile to the Commissioner for Patents
 via facsimile number 571-273-8300

Date: August 23, 2005

Name: Margaret M. Kelley

Signature: 

via facsimile number 571-273-8300

Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C.

Attorney Docket No: 105942-53915

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan P. Kozikowski, et al.

Filed: September 9, 2003

TC/AU: 1626

Serial No.: 10/658,241

Examiner: T. Solola

Confirmation No.: 4114

Customer No.: 26345

For: Synthesis of Dimeric, Trimeric, Tetrameric, Pentameric, and High Oligomeric Epicatechin-derived Procyanidins Having 4 β ,8-Interflavan Linkages and Their Use to Inhibit Cell Growth Through Cell Cycle Arrest.

AMENDMENT TRANSMITTAL

Honorable Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a(n):

Preliminary Amendment
 Amendment

for the above-identified application.

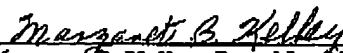
A Petition for Extension of Time for the present application is also enclosed

The fee has been calculated as shown below:

| | Claims Remaining After Amendment | Highest Number Previously Paid For | Extra Claims | Fee for each extra claim | Additional Fee |
|------------------------------------------------|-------------------------------------|---------------------------------------|-----------------|-----------------------------|-------------------|
| Total Claims | 30 | 51 | 0 | \$50 | 0.00 |
| Independent Claims | 9 | 9 | 0 | \$200 | 0.00 |
| First Presentation of Multiple dependent claim | | | +\$360 | | 0.00 |
| Sub-Total | | | | | 0.00 |
| Small Entity? | | | Less 50% | | -0.00 |
| TOTAL FEE DUE FOR AMENDMENT | | | | | 0.00 |

Date: August 23, 2005

Respectfully submitted,


 Margaret B. Kelley, Reg. No. 29,181
 GIBBONS, DEL DEO, DOLAN, GRIFFINGER
 & VECCHIONE
 One Pennsylvania Plaza-37th Floor
 New York, New York 10119
 (212) 649-4700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan P. Kozikowski et al.

Art Unit: 1626

Serial Number: 10/658,241

Examiner: T. Solola

Filed: September 9, 2003

Confirmation No: 4114

Title: SYNTHESIS OF DIMERIC, TRIMERIC,
TETRAMERIC, PENTAMERIC, AND
HIGHER OLIGOMERIC EPICATECHIN-
DERIVED PROCYANIDINS HAVING 4 β , 8-
INTERFLAVAN LINKAGES AND THEIR
USE TO INHIBIT CANCER CELL GROWTH
THROUGH CELL CYCLE ARREST

Attorney Docket: No.: Gibbons 105942-53915
(formerly 5677-177)

Customer No: 26345

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is submitted in response to the Office Action mailed May 24, 2005. A response is due August 24, 2005.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 4 of this paper.

Remarks/Arguments begin on page 9 of this paper.